United Nations S/2001/126

Security Council

Distr.: General
12 February 2001

Original: English

Letter dated 12 February 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

I have the honour to refer to resolution 1171 (1998), adopted by the Security Council on 5 June 1998, concerning Sierra Leone. In paragraph 4 of the resolution, the Committee is required to report to the Council on notifications received from States on the export of arms and related matériel to Sierra Leone, as well as on notifications of imports of arms and related matériel made by the Government of Sierra Leone.

Accordingly, I wish to inform you that the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, received a notification on 9 February 2001 from the Government of the Republic of Sierra Leone, of the import of the following arms and related matériel to the Government of Sierra Leone for use by the Sierra Leone Army:

8 February 2001 — 504 self-loading rifles (SLRS) (7.62 mm)

24 February 2001 — 504 self-loading rifles (SLRS) (7.62 mm)

28 February 2001 — 1,116 self-loading rifles (SLRS) (7.62 mm).

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to resolution 1132 (1997)
concerning Sierra Leone

01-24748 (E) 120201

United Nations S/2001/127

Security Council

Distr.: General
12 February 2001

Original: English

Letter dated 12 February 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, and further to my letters of 6 October and 4 December 2000 addressed to the President of the Security Council (S/2000/966; S/2000/1151), the Government of Sierra Leone, in compliance with paragraph 2 of resolution 1306 (2000), had submitted a note verbale with an enclosure containing a 90-day review of the new Certificate of Origin regime for trade in Sierra Leone diamonds (see annex and enclosure).

In this connection, and in accordance with paragraph 5 of Security Council resolution 1306 (2000), the Committee would appreciate it if the present letter, together with its annex and enclosure, could be brought to the attention of the members of the Security Council and issued as a document of the Security Council.

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

01-24784 (E) 130201

Annex

Note verbale dated 7 February 2001 from the Permanent Mission of Sierra Leone to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1332 (1997) concerning Sierra Leone

The Permanent Mission of the Republic of Sierra Leone to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, and has the honour to forward herewith a 90-day review of the new Certificate of Origin regime for trade in Sierra Leone diamonds prepared by the Government of Sierra Leone, in accordance with its commitment to facilitate implementation of the provision of Security Council resolution 1306 (2000).

Enclosure

GOVERNMENT OF SIERRA LEONE

Implementation of UN Security Council Resolution 1306 (2000) First Review of the new Certificate of Origin Regime for the Trade in Sierra Leone Diamonds

31 January 2001

A. Introduction

1. On July 5 2000, in compliance with Security Council resolution 1306 (2000), the Government of Sierra Leone suspended with immediate effect, all export of Sierra Leone diamonds, pending the establishment of an effective Certificate of Origin regime for its trade in diamonds. With the assistance of the High Diamond Council (HRD) of Belgium, the Governments of the United Kingdom, the United States and Belgium, the new regime was developed and put into operation on 12 October 2000. This assistance was consistent with paragraph 3 of resolution 1306 (2000). In addition to security printed certificates the new regime incorporates measures aimed at strengthening existing national regulations and guidelines in the mining sector. A description of the new regime is contained in document S/2000/1151, of 4 December 2000.

2. The Government of Sierra Leone had indicated in paragraph 15 of document S/2000/1151, that the new regime would be reviewed after a period of 90 days, and revised thereafter if necessary. In this regard, the following review, covering the period 12 October 2000, when the first parcels of diamonds were exported under the new system, and 31 January 2001, is being presented to the UN Sanctions Committee on Sierra Leone for its information.

B. Certificate of Origin

3. To date, thirty-four (34) Certificates of Origin printed by a reputable international security printer have been issued, and all the correspondent Import Confirmation Certificates have been returned to the Government Gold and Diamond Buying Office (GGDO). Digital photographs of rough diamonds presented to the GGDO for valuation now accompany all export diamond parcels. The digital photographs are transmitted electronically with the information contained in the certificate of origin for shipment.

C. Other Measures

4. Since the major objective of the Certificate of Origin regime is to end transactions in what have been described as *"conflict"* or *"blood"* diamonds, and consistent with its own effort to curb illicit mining and smuggling of its diamonds, the Government has updated and strengthened existing regulations and measures in the mining and marketing sectors. It has also revised related banking guidelines for diamond exports.

- *Mining*

5. The surveillance and monitoring of mining activities have been stepped up to ensure that only diamonds from non-conflict areas of the country are exported through the certification process. In this regard, the Ministry of Mineral Resources continues to make every effort to issue mining licences, and to ensure that no unauthorized mining takes place in any area under Government control. Winnings from these licensed areas are sold only to licensed diamond dealers or exporters. Field Officers - Mine Wardens and Monitors -- have been posted to remote villages to ensure strict compliance with the objectives of UN resolution 1306 (2000), so that conflict diamonds do not enter the legitimate channel. This close monitoring mechanism has had beneficial effects on revenue from mining licence fees. Moreover, a greater proportion of high quality gem diamonds which hitherto had been smuggled out of the country are now legally exported through the

GGDO, resulting in an appreciable increase in the value per carat of exported goods.

- ***Marketing***

6. The regulations relating to mining also apply to marketing. Diamond dealers and exporters should purchase diamonds only from licensed miners. This rule has been enforced by officials of the Ministry of Mineral Resources, through stringent checks in the field and at the GGDO at the time of export. Diamonds from conflict or questionable sources have not only been denied access into the legitimate channels, but are also confiscated to the Government. Since the adoption of resolution 1306 (2000) last July, a total of 294 (Two Hundred and Ninety-Four) carats of diamonds valued at $63,529 have been confiscated and sold by public tender to licensed exporters in a transparent manner. Forty per cent (40%) of the sale value were awarded to the informants.

7. In addition to confiscation of such diamonds, the courts impose on offenders on conviction, a fine not exceeding Le5million (Five Million Leones) or imprisonment for a term not exceeding three years or, both such fine and imprisonment.

8. The Government has also appointed an independent diamond Valuator at the GGDO to check the value of all parcels of diamonds presented for export, and to identify diamonds from Kono and Tongo, the main areas of RUF rebel mining operations, that may have slipped through the net during the field checks.

- ***Banking guidelines***

9. The Bank of Sierra Leone (the Central Bank), in consultation with the Ministry of Mineral Resources, has revised the banking guidelines for diamond exporters, and for accessing foreign or hard currency to ensure free convertibility. The operational and financial guidelines are annexed to the present document. Initial problems associated with banking procedures, especially those relating to the export of diamonds that had been

accumulated between 5 July and 12 October 2000, have been resolved. Officials of the Ministry of Mineral Resources and the Bank of Sierra Leone meet regularly to coordinate their respective responsibilities to ensure the smooth operation of the export procedures.

D. Contribution of the New Regime to Mining Community Development

10. Recognizing that the ultimate goal of the legitimate production and sale of the country's diamond resources is to benefit the people of Sierra Leone, and following the introduction of the new export procedures, the Government has created a Special Fund for the development of the communities directly affected by mining activities. Twenty-five (25%) of the export fees collected by Government will be paid directly into this Fund. The Fund will be controlled jointly by the authorities of the communities, the Ministries of Mineral Resources and Local Government and Rural Development.

11. The new policy is also intended to serve as a means of getting mining communities more involved in the monitoring of mining activities in their areas, and thus supplement the work of mining Field Officers.

12. It should be noted that the United States Government, through USAID, has confirmed its willingness to contribute seed money to the Fund to ensure that there are adequate financial resources to commence disbursement to beneficiary communities of the Fund.

E. Conclusions

13. At the end of the 90-day trial period, the new Sierra Leone Certificate of Origin regime could be described as a modest success. Although it is still in its infancy, the system has already demonstrated the potentiality of serving as a model for other national certification systems, particularly in other areas of conflict in Africa.

14. The certificate and control mechanisms installed in the GGDO, such as the electronic database on exports, with provisions for confirmation of destination, is gradually receiving the confidence of exporters and importers. The Government believes that improvements and adjustments of the system will be incorporated with the experience gained over time. For instance, while maintaining the procedure of having four signatories to the certificate, for administrative convenience any three signatures, including that of the Minister of Mineral Resources, will be valid. All importing authorities and other relevant institutions have been notified accordingly.

15. It is important to underscore the economic benefits that have been derived from the new Certificate of Origin regime. Since 12 October 2000, some 48,760 (Forty Eight Thousand Seven Hundred and Sixty) carats of diamonds valued at US$6.4 million (Six Million Four Hundred Thousand dollars) have been exported through the process.

16. Even at this initial stage of the operation, the conclusion could be reached that the new regime may have helped to reduce smuggling. In this regard, the Government has already seen positive and relatively significant effects on the economy of the war-torn country. For instance, the total value of diamonds exported in the year 2000 was over US$10 million, (Ten Million dollars) compared to US$1.5 million (One Million Five Hundred dollars) in 1999. The national currency, the Leone, has appreciated over the US dollar, from Le2, 500 in May 2000, to Le1, 500 in December 2000.

17. While the real impact of the new regime on curbing transactions in conflict diamonds from Sierra Leone remains to be fully assessed, indications are that conflict diamonds entering the legitimate channel have been minimal. This situation should change dramatically as the Government gains access to and control of the main diamond mining areas of the country. Meanwhile, the Government expects to see improvements in the identification and seizure of conflict diamonds by Field Officers, Community Monitoring Groups, GGDO officials, and the independent Valuator. The fact remains that the bulk of the production of Sierra Leone diamonds is still going through other routes. This is why the Government fully supports measures now before the Security Council concerning Liberia, based on the

recommendations of the UN Expert Panel on diamonds and the armed conflict in Sierra Leone.

18. Of course, the real success of the Certification regime and its impact on conflict diamonds will depend to a large extent on scrupulous implementation of resolution 1306 (2000) by all States, in particular the diamond importing States. The Government notes with satisfaction that a number of States, in fulfillment of their obligations under the relevant provisions of the resolution, have taken measures such as the promulgation of regulations and executive orders, to prohibit the direct and indirect import of all diamonds from Sierra Leone that are not certified by the Government of Sierra Leone. The establishment of an international certification system would also contribute to curbing the trade in conflict diamonds.

19. The Government recalls an example of the kind of vigilance that could be expected of all importing countries. Two parcels of diamonds authorized under the previous system were exported a few days before the adoption of resolution 1306 (2000). Belgian authorities impounded them on 6 July 2000 on the premise that their import was in violation of paragraph 1 of the resolution. The parcels were later released following investigations that determined that they had been legally exported before the adoption of the resolution.

20. It is important to stress that States, relevant United Nations bodies and other organizations and interested parties should be reminded of their obligation under paragraph 16 of resolution 1306 (2000), to report to the Committee on Sanctions information on possible violation of the measures imposed by paragraph 1 of the resolution.

21. Finally, the Sierra Leone Government wishes to reiterate its gratitude to the Governments of Belgium, the United Kingdom and the United States, as well as the HRD of Belgium for their invaluable assistance in the development of the Certificate of Origin regime. It expresses the hope that States, international organizations and the international diamond industry will continue to contribute to the further development, functioning and

improvement of the system, a contribution which should help end the almost ten-year armed conflict in Sierra Leone, and promote the economic and social well-being of its peoples.

22. A second review of the Certification of Origin regime will be submitted to the Committee on Sanctions in due course.

Annexure 1

BANKING GUIDELINES DIAMOND EXPORTERS

1. Residents and non-residents are allowed to finance their diamond operations in Sierra Leone in United States Dollars, in notes, drafts, or bank transfers.

2. Diamond Exporters shall ensure that the inflows of United States Dollars in Sierra Leone for their transactions are channeled throught the banking system or where dollar notes are carried by the Exporters such notes shall be declared at the point of Entry into Sierra Leone together with certification from the remitting bank.

3. United States Dollars notes brought in by the Exporter shall be lodged with certification at any of the commercial banks for their use.

4. On a quarterly basis, commercial banks will be required to submit to the Bank of Sierra Leone returns on the the inflows and outflows in respect of each licensed exporter.

5. The list of commercial banks in Sierra Leone at any point in time would be obtained from the bank of Sierra Leone.

Annexure 2

OPERATIONAL FINANCIAL GUIDELINES
GOVERNMENT DIAMOND TRANSACTIONS

"Payment for any diamond purchases shall be made in United States Dollars brought into Sierra Leone through banking channels or if, in notes, declared at the point of entry into Sierra Leone by the Exporter and lodged with certification at any Commercial bank for his use, and he shall be entitled to repatriate any unused balance of such dollars." (Agreement form dated 4th December, 2000 between the Government and would-be Exporters)

To effect the above, Diamond Exporters shall ensure that the inflows of United States Dollars for their transactions are channelled through Commercial banks in Sierra Leone.

Foreign exchange could be brought into Sierra Leone in any of the following ways:-

1. *Letter of Credit*
2. *Telegraphic Transfer*
3. *Cash Dollar Note*

1. ***Inward Letter of Credit*** - the receiving Commercial bank in Sierra Leone would be required to produce two copies of the L.C. - one to be submitted to the International Finance Department of the Bank of Sierra Leone for processing and another to be attached to the Certificate of Origin.

2. ***Telegraphic Transfers*** - the receiving Commercial bank would be required to confirm by letter receipt of funds. One copy of the letter to be submitted to the International Finance Department of the Bank of Sierra Leone for processing and the other attached to the Certificate of Origin.

3. ***Cash Dollar Notes*** - the receiving Commercial bank should be informed by the remitting bank abroad through a tested telex message of the

incoming funds. Incoming funds should also be supported with certification issued by the remitting bank. United States Dollars notes brought in by the Exporter shall be lodged with certification issued by the remitting bank at any of the Commercial banks for their use. Commercial banks would be required to issue two certificates, one to be submitted to the International Finance Department of the Bank of Sierra Leone for processing and another to be attached to the Certification of Origin.

Diamond Exporters will be allowed to export up to the amount of funds confirmed by the commercial banks as brought in.

BANK OF SIERRA LEONE
DECEMBER 12, 2000

United Nations S/2001/128

Security Council

Distr.: General
12 February 2001

Original: English

Sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. By its resolution 1332 (2000) of 14 December 2000, the Security Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 15 June 2001, and endorsed the Secretary-General's proposal to deploy additional United Nations military observers to monitor and verify the implementation of the ceasefire and disengagement plans adopted by the parties to the Lusaka Ceasefire Agreement (S/1999/815, annex).

2. In the same resolution, the Security Council invited the Secretary-General to consult with the Organization of African Unity (OAU) and the parties concerned on the possibility of organizing in February 2001 a follow-up meeting between the signatories of the Lusaka Agreement and members of the Council. In addition, the Council requested the Secretary-General to:

(a) Present a review of the implementation of the current mandate of MONUC, including elements for an updated concept of operations;

(b) Submit proposals on ways to address the situation in the eastern provinces of the Democratic Republic of the Congo;

(c) Submit proposals for a mechanism to follow up on the withdrawal of foreign forces, the disarmament and demobilization of armed groups, the security of the borders of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, and related issues.

3. The present report is submitted in accordance with these requests and reflects developments since the Secretary-General's fifth report on MONUC of 6 December 2000 (S/2000/1156).

II. Political developments

4. President Laurent-Désiré Kabila was shot and fatally injured by a member of the presidential bodyguard in Kinshasa on 16 January. I condemn assassination and the use of force as a means of settling political differences. It is gratifying that the other parties concerned have refrained from taking advantage of the situation.

5. On 17 January, Major General Joseph Kabila was entrusted with the powers and responsibilities of Head of State and Commander-in-Chief of the Forces armées congolaises (FAC) by a joint meeting of ministers and senior military officers. After the State funeral of President Laurent-Désiré Kabila, members of the Congolese transitional parliament approved unanimously the Government's nomination of Major General Joseph Kabila as President of the Democratic Republic of the Congo. However, both the rebel groups and some elements of the Congolese political class have rejected the emergence of Major General Kabila as Head of State.

6. On 21 January, the Heads of State of Angola, Namibia and Zimbabwe issued a communiqué in which they undertook to maintain their respective military forces in the Democratic Republic of the Congo and reinforce the security of the population, the Government and foreign citizens, including personnel

01-24614 (E) 120201

of the United Nations and non-governmental organizations. The leaders appealed to all parties to the Lusaka Agreement to refrain from any offensive military movement; encouraged all parties to search for a political solution to the conflict, expressing their conviction that dialogue and consultation were the paths to follow; and called upon the United Nations to deploy additional military observers to the Democratic Republic of the Congo.

7. President Joseph Kabila made positive overtures to the international community by receiving, prior to his inauguration on 26 January, members of the diplomatic corps in Kinshasa, including the ambassadors of Belgium, and the 25 African countries and the permanent members of the Security Council. In two meetings with my Special Representative, Mr. Kamel Morjane, the new President stated that the Government of the Democratic Republic of the Congo wished to extend its cooperation to the United Nations and counted upon MONUC to continue fulfilling its mandate. The President also attached great importance to the implementation of Council resolutions, particularly those relating to the process of disengagement, the withdrawal of foreign forces and the inter-Congolese dialogue. Mr. Morjane reiterated on my behalf to the President the full commitment of the United Nations to assisting the Democratic Republic of the Congo in restoring peace and sought his support in creating the conditions necessary for the deployment of additional United Nations military observers in the Democratic Republic of the Congo.

8. On 26 January, in his first address to the Congolese people, President Joseph Kabila outlined his vision for achieving peace in his country and the region. Calling for the immediate withdrawal of the armies of Rwanda, Uganda and Burundi from Congolese territory, the President advocated a policy of dialogue and reconciliation with neighbouring States. The President committed himself to working, in conjunction with his country's allies, to relaunch the Lusaka Agreement and indicated that he would seek national reconciliation by means of political dialogue. In this regard, he expressed gratitude to OAU for its involvement in the search for peace in his country, and called for its further engagement in the process of co-facilitation of the inter-Congolese dialogue. The President envisaged that once peace was consolidated in the country, free and transparent elections would be held.

9. On 31 January, President Kabila visited Paris, where he met with President Chirac. After attending an event organized by the Congress of the United States of America on 1 February, President Kabila then visited me in New York. I took the opportunity to extend to him my condolences on his loss and to discuss the action to be taken to advance the peace process. President Kabila also met with the Security Council. The record of that meeting appears in document S/PV.4271.

10. On 7 February, President Kagame, who had also attended the Congressional event in Washington, D.C., met with me at United Nations Headquarters. He then met with the Security Council (see S/PV.4273).

11. Following discussions among regional leaders, the Joint Military Commission (JMC) is expected to meet on 10 and 11 February in Lusaka, followed by a meeting of the Political Committee on 11 and 12 February. A summit meeting is scheduled to take place in Lusaka on 13 February. Preparations are also going forward for the meeting of the Security Council with the Political Committee in New York on 21 and 22 February.

Congolese rebel movements

12. Following news of the assassination of President Laurent-Désiré Kabila, the rebel movements denied any involvement in the act. They also condemned the use of violence and reaffirmed their commitment to the Lusaka Ceasefire Agreement. All rebel leaders called for immediate progress in convening the inter-Congolese dialogue stipulated in the Lusaka Agreement and denounced the installation of Major General Joseph Kabila as President. Rebel leaders were unanimous in demanding the establishment of a transitional government. In response to President Joseph Kabila's national address on 26 January, rebel leaders reiterated their call for the inter-Congolese dialogue to be convened without delay or conditionality.

13. On 17 January, three rebel movements merged to form the Front de libération du Congo (FLC). The new movement comprises the Mouvement pour la libération du Congo (MLC), the Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML) and RCD-National (RCD-N). The merger envisages a single military force and strategy vis-à-vis the

government side. The current president of FLC is Mr. Jean-Pierre Bemba, the former leader of MLC. Although Mr. Wamba dia Wamba was said to have been appointed as vice-president, reports suggest that he has been excluded from the FLC leadership following his denouncement of the merger as an agreement of military convenience.

14. Further consolidation on the rebel side has been indicated by a senior member of RCD, Mr. Bizima Karaha, who has announced that RCD and FLC share a common vision on political issues which may lead to the formation of a common front under the same political and military leadership. He predicted that unification would take place within the near future. These developments represent the latest of many efforts on the part of the rebel groups to achieve unification.

Inter-Congolese dialogue

15. During the reporting period, Sir Ketumile Masire has remained committed to fulfilling his responsibilities as neutral facilitator of the inter-Congolese dialogue. He has continued to enjoy the explicit support of the Congolese rebel movements and main political parties and civil society.

16. On 16 December, at the request of the Government of the Democratic Republic of the Congo, President Bongo sponsored a meeting between President Laurent-Désiré Kabila and Congolese opposition groups. Although President Kabila travelled to Libreville, the meeting did not take place owing to the non-attendance of the opposition invitees.

17. While the Government of the Democratic Republic of the Congo has not formally withdrawn its rejection of Sir Ketumile Masire as the neutral facilitator, there have been increasing indications that it is prepared to accept the appointment of a francophone co-facilitator to work with Sir Ketumile. President Joseph Kabila appeared to endorse the arrangement and, in his inaugural speech, requested OAU to help revive the peace process, particularly with regard to the designation of a co-facilitator. However, the leader of RCD later described the President's reference to co-facilitation as a violation of the Lusaka Agreement, which does not provide for such a function.

18. Political parties in the Democratic Republic of the Congo, which have hitherto been silent owing to the continuing ban on their activities, are becoming vocal in calling for implementation of the Lusaka Agreement, and specifically for the convening of the inter-Congolese dialogue. They generally support the appointment of a francophone co-facilitator. On 29 January, President Joseph Kabila met with representatives of four principal political parties in Kinshasa.

III. Military developments

19. Though much of the country has remained quiet during the reporting period, particularly over the past three weeks, military action was observed in both Equateur province and Katanga in December and early January 2001. Scattered fighting, often involving armed groups, has been reported from the Kivus.

Situation in Katanga

20. In late November, following attacks by government forces (FAC) in Katanga, RCD and the Rwandan People's Army (RPA) launched a counter-attack which culminated in their capture of Pweto on 6 December. Thousands of combatants and refugees fled into Zambia to escape the fighting. Figures from the Zambian authorities indicate that over 5,000 combatants crossed the border. Subsequently, some 3,000 FAC and 200 Zimbabwean soldiers were disarmed and escorted back into the Democratic Republic of the Congo. Approximately 1,925 combatants, belonging to the Burundian Front pour la Défence de la Démocratie (FDD), evaded disarmament by using barges to cross Lake Mweru and enter the Democratic Republic of the Congo. At present, some 144 disarmed soldiers remain in northern Zambia; 115 are seeking refugee status; and 29 are under investigation for membership of the former Rwandan Armed Forces (ex-FAR), Interahamwe or FDD.

21. Following a meeting in Kinshasa on 22 December between President Laurent-Désiré Kabila, President Mugabe and President Nujoma, President Mugabe warned that the rebels would be forced out of Pweto if they did not leave voluntarily. Subsequently, there was a build-up of Government and allied forces with reports of over 2,000 Angolan, 600 Zimbabwean and 3,000 FAC troops deployed between Kasenga and

Pweto. On the rebel side, six RCD battalions are said to be holding Pweto with two RPA brigades in support.

22. During December and early January, there were numerous claims of ceasefire violations and allegations from both sides that the other was preparing for an offensive. On 28 December, the Permanent Representative of Rwanda to the United Nations, claiming his country had acted in self-defence, wrote to the President of the Security Council to complain of an ongoing campaign of misinformation directed against his country (S/2000/1244). The Permanent Representative reiterated his Government's offer of a 200-kilometre disengagement and its preparedness to withdraw from Pweto if MONUC deployed there. On the same day, the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations wrote to the President of the Council to inform him that a brigade of RPA, supported by members of the União Nacional para a Independência Total de Angola (UNITA), had launched attacks on Katanga from Zambian territory (S/2000/1245).

23. Since early January, the MONUC Force Commander, General Mountaga Diallo, has been discussing with the Governments and military authorities of the Democratic Republic of the Congo and Rwanda, and with RCD, the Rwandan offer to withdraw from Pweto if MONUC deployed a military observer team to the town. MONUC has in fact prepared a team to be deployed to Pweto. However, despite encouraging signals from the Governments of both the Democratic Republic of the Congo and Rwanda, discussions on the specific modalities of the agreement are still continuing with the military authorities of both sides. RCD has insisted that its concerns should be addressed separately from those of Rwanda.

Fighting in Equateur province

24. In mid-December, MLC began a military offensive across a broad front in northern Equateur, capturing Imese and Befale. Government and allied forces reinforced their positions around Mbandaka. In mid-January, MLC forces attacking Bolomba were repulsed after heavy fighting. Since 18 January, the military situation has become static, with no reports of significant fighting.

Eastern provinces

25. The security situation in parts of the eastern Democratic Republic of the Congo remains highly volatile. RCD has complained that armed groups continue to launch numerous attacks in the Kivus. Although the armed groups responsible for these attacks are not signatories to the Lusaka Ceasefire Agreement, there are persistent reports of their receiving arms and training from FAC. (The situation in the eastern provinces is explored in more detail in paras. 85-88 below.)

26. In the Ituri area, ethnic tension between the Lendu and Hema communities increased dramatically on 19 January when Lendu tribesmen attacked a Ugandan People's Defence Force (UPDF) and an RCD-ML position at Bunia airfield. The fighting resulted in serious casualties and was followed by attacks mounted by the Hema population on Lendu civilians (see paras. 56-57 below).

27. MONUC dispatched a military and humanitarian team to Kampala and Bunia on 24 January. In Kampala, the Ugandan Army Commander accepted that UPDF was responsible for the security of the civilian population in the Bunia area and undertook to make every effort to contain the violence. Since 22 January, MONUC military observers in Bunia have reported the situation in the town to be tense but with UPDF in effective control. MONUC is discussing with the humanitarian agencies follow-up action aimed at improving relations between the two communities.

28. Concern has also been expressed over repeated attacks on the Banyamulenge population in South Kivu. This matter is dealt with in more detail in paragraph 59 below.

Kisangani

29. Pursuant to Security Council resolution 1304 (2000), Rwanda and Uganda have continued to keep their forces at a distance of some 100 kilometres from Kisangani. However, RCD military elements have remained in the city, with its leaders maintaining that security concerns do not allow them to withdraw their forces before the arrival of United Nations troops. The area around Kisangani has been de facto divided into quadrant . RCD occupies the south and west; MLC and UPDF the north-west and the north; and UPDF solely

the east. This dispersal is generally respected, except for isolated skirmishes usually between RCD and MLC/RCD-N in the diamond mining area to the north of the city.

Implementation of disengagement plans

30. The military chiefs of staff of the parties, with the exception of MLC, ratified the detailed sub-plans for disengagement and redeployment in Harare on 6 December. The MLC delegate had received instructions not to sign the document, as it did not contain a reference to the inter-Congolese dialogue. Subsequently, a spokesman for RCD indicated that its forces, too, would not comply with the disengagement plans unless President Laurent-Désiré Kabila opened talks on the formation of a transitional government and disarmed pro-government militias in the eastern Democratic Republic of the Congo.

31. Pursuant to the Harare disengagement plan, MONUC received notification from Angola, the Democratic Republic of the Congo, Namibia, Rwanda, Uganda and Zimbabwe that executive orders had been issued to their military forces to begin the disengagement process. No notification has yet been received from the rebel movements.

32. The Harare disengagement plan stipulated that the military forces of the parties would undertake a 15-kilometre disengagement over a two-week period starting 21 January. None of the parties has yet complied. There are indications that the implementation of the disengagement plans has become dependent on progress in convening the inter-Congolese dialogue envisaged by the Lusaka Agreement, as the Congolese rebel movements insist that the two processes — military and political — are inextricably linked. Nonetheless, MONUC is proceeding on the assumption that the parties will indeed carry out their disengagement plan.

Withdrawal of foreign forces

33. On 9 January, President Laurent-Désiré Kabila brokered talks in Libreville between President Buyoya and Jean-Bosco Ndayikengurukiye, the leader of FDD, the main Burundian rebel group. Subsequently, Leonard She Okintundu, Foreign Minister of the Democratic Republic of the Congo, informed the Kinshasa diplomatic corps that both parties had agreed to withdraw their forces from the Democratic Republic of the Congo. On 23 January, FDD made it known that the death of President Laurent-Désiré Kabila had not affected its willingness to continue talks with the Burundian Government. In a statement, the Burundian Government confirmed that its meetings with FDD had been successful and would be pursued.

34. Resolutions 1304 (2000) and 1332 (2000), in which the Security Council demanded the withdrawal of Rwandan and Ugandan forces from the territory of the Democratic Republic of the Congo without further delay, in conformity with the timetable of the Lusaka Agreement and the Kampala disengagement plan, have yet to be implemented in full. Reports indicate the presence of approximately 20,000 RPA and 10,000 UPDF troops in the Democratic Republic of the Congo and there has been no clear indication of any significant reduction in force levels. Senior Rwandan officials have continued to emphasize their country's security concerns, and to demand that measures be taken to disarm and demobilize the armed groups in the eastern provinces of the Democratic Republic of the Congo before the withdrawal of RPA proceeds. Ugandan officials, including President Museveni, have recently indicated that, following the defeat of Allied Democratic Forces (ADF) rebels, the underlying objective of their intervention has been achieved.

35. On the government side, it is estimated that there are approximately 12,000 Zimbabwean, 7,000 Angolan and 2,000 Namibian troops deployed in the Democratic Republic of the Congo. Since my last report, the force levels of the Southern African Development Community (SADC) allies have increased in response to the military reversals in Katanga and the security concerns in Kinshasa and Lubumbashi following the assassination of President Laurent-Désiré Kabila. There are persistent allegations from Rwanda that FAC contains large numbers of ex-FAR and Interahamwe fighters.

IV. Cooperation with the Joint Military Commission (JMC)

36. The operations of JMC have continued to be hindered by a lack of resources. OAU has advised JMC

that it is unlikely that there will be sufficient funds to cover envisaged requirements this year.

37. On 26 January, the OAU secretariat announced that Brigadier Njuki Mwaniki of Kenya had been appointed as the new Chairman of JMC. Brigadier Mwaniki assumed his duties in Lusaka at the end of January and has undertaken a briefing mission to Kinshasa and other locations.

V. Status of MONUC deployment

Current deployment

38. As of 8 February, MONUC had a total of 200 military personnel. Within the Democratic Republic of the Congo, in addition to Kinshasa, military liaison officers are deployed to the headquarters of the rebel movements (Bunia, Gbadolite and Goma) and the four regional joint military commissions (Boende, Kabalo, Kabinda and Lisala). Military observer teams are also stationed in six other locations (Gemena, Isiro, Kananga, Kindu, Kisangani and Mbandaka). In addition, a team has been deployed at Nchelenge in northern Zambia. Twenty-three liaison officers are stationed in the capitals of surrounding countries, including 14 officers who provide planning support to JMC in Lusaka. Finally, MONUC maintains one military liaison officer with OAU in Addis Ababa (see map and annex).

39. MONUC has established three sector headquarters for the implementation of the Kampala/Harare disengagement plans. The first, with a small staff of military and civilian officers, was opened in Kisangani in June. Since my last report, sector headquarters have been opened in Mbandaka and Kananga. MONUC logistic bases necessary to support the deployment of observers and troops are operational in Kinshasa, Goma and Bangui in the Central African Republic.

Security of MONUC personnel

40. The parties have continued to provide generally satisfactory security for MONUC military and civilian personnel. In Bunia, UPDF are responsible for protecting MONUC premises. In Kinshasa, the Government has, since 15 December, assigned 35 civilian policemen for the protection of the premises and assets of MONUC at its headquarters, logistic base and Kinshasa airport. Despite the uncertainty created by the assassination of President Laurent-Désiré Kabila, the capital has remained calm.

41. In South Kivu, the frequency of attacks by armed groups has forced international agencies and non-governmental organizations to suspend many of their operations. The threat posed by the armed groups precludes the deployment of MONUC military observers in the eastern provinces at this time.

Cooperation of the parties

42. Since 30 September, weekly meetings between MONUC and the Commissariat général chargé des affaires de la MONUC have been held to assess the compliance by the Government of the Democratic Republic of the Congo with the Status of Forces Agreement (SOFA) provisions. This improved liaison has continued to yield positive results; and past difficulties over customs clearances, exemption of direct and indirect taxes, fuel surcharges, authorization for a frequency and telecommunications network and facilities at Kinshasa airport have been resolved harmoniously. Joint MONUC/Government reconnaissance missions to Mbandaka and Kananga have also been completed.

43. The Government of the Democratic Republic of the Congo has yet to replace the system of flight notification on a case-by-case basis with a system for advance notification en bloc, an arrangement that is essential for the management of the large fleet of aircraft required for MONUC phase II deployment. The Commissariat has assured MONUC that such a system will be introduced once phase II deployment commences. Nevertheless, there has been a more positive attitude and lifting of restrictions, in particular the obligation to land at a neutral airport during a return trip from rebel-controlled areas and the requirement to route all MONUC flights through Kinshasa.

44. In field locations, MONUC military observers have encountered occasional limitations on their freedom of movement imposed by local commanders. However, the greatest impediment to the movement of military observers is the nature of the terrain, since most routes become impassable more than 25 kilometres from any MONUC base.

VI. Humanitarian aspects

45. Owing to the continuing fighting in the Equateur region, North and South Kivu, Katanga and Province Orientale, the latest estimate concerning the number of internally displaced persons (IDPs) in the Democratic Republic of the Congo is 2 million, and this figure is expected to rise further. Added to the refugee population, the total affected population in the Democratic Republic of the Congo is over 2,335,000. Fewer than half of these displaced individuals receive humanitarian assistance. There are thought to be some 640,000 IDPs in North Kivu, over 350,000 in South Kivu, 305,000 in Katanga and 300,000 in Equateur. In the Kivus alone, this number has increased more than fourfold over the last 12 months. As a result of violent confrontations between Lema and Hendu tribes in the Ituri district in Province Orientale, some 12,500 people are said to have fled Bunia for the outlying countryside and the Office of the United Nations High Commissioner for Refugees (UNHCR) assesses that another 6,000-9,000 have sought refuge in Uganda over the past few weeks. The refugee population in the Democratic Republic of the Congo is estimated at 332,000. Non-assisted Angolan and Rwandan refugees number 67,000 and 48,000, respectively. The assisted refugees include people from the Sudan, Uganda and Burundi.

46. Following fighting during the year 2000, Congolese refugees have arrived in the Betou, Impfondo and Loukolela areas in the Congo. It is estimated that 100,000 refugees from the Democratic Republic of the Congo are now in the Congo, of which 12 per cent are considered vulnerable. UNHCR plans to provide emergency assistance to these refugees to facilitate their integration into their new communities. The World Food Programme (WFP) is expected to provide essential needs (rice, beans, salt) for a period of six months. Though the security situation has been relatively calm, any deterioration could hamper aid efforts.

47. As a result of recent fighting in the Pweto region (Katanga), a considerable number of people have sought refuge in neighbouring Zambia; about 9,000 of them are hosted in a refugee camp near Kala in Zambia's northern province, and a further 15,000 have settled in villages in the same area.

48. It is estimated that there are some 16 million people with critical food needs throughout the Democratic Republic of the Congo. The main reasons behind the food security crisis include prolonged displacement, the intensification of the war resulting in the rupturing of traditional sources of supply, and a staggering increase in prices coupled with a decline in purchasing power. As previously reported, the Food and Agriculture Organization of the United Nations (FAO) estimates that 70 per cent of the 6 million-7 million people living in the capital city cannot afford $1 a day for food. In addition, children are hardest hit by chronic malnutrition, especially in the major urban centres of Kinshasa, Kabinda, Kananga, Mbuji-Mayi, Mbandaka and Kisangani.

49. The health situation in the Democratic Republic of the Congo has continued to deteriorate with the continuing neglect of health facilities, the lack of essential medication, and the difficulty of dispatching medical supplies to the regions of the Democratic Republic of the Congo. The health system is also seriously afflicted by the lack of equipment, insufficient training of medical personnel, and a significant lack of funding. In addition, it is estimated that only 37 per cent of the population has access to essential medicine and 47 per cent to potable water. Mother and child mortality rates remain very high, and overall vaccination coverage is low (tuberculosis: 30 per cent; polio: 22 per cent; measles: 24 per cent). Inadequate sanitary and hygiene conditions, as well as malnutrition, have created a fertile environment for the spread of diseases. In Pweto, some 4,700 cases of cholera with 360 deaths were recorded during the year 2000. New diseases are also emerging, among which haemorrhagic fever and monkey pox pose the greatest threat. Finally, human immunodeficiency virus (HIV) prevalence among the population aged 15-49 years is of the order of 5 per cent, and a total of 1.1 million people are infected. Generally speaking, standard health indicators today have not improved since the survey carried out by the Health Ministry and the World Health Organization (WHO) in 1998.

50. Last November, a consolidated appeal was launched for a total of $37 million. To date, only 30.5 per cent of the amount has been received.

51. After the United Nations Inter-agency Mission that came to the Democratic Republic of the Congo in November 2000 submitted its report in New York and following further discussions in the Inter-Agency Standing Committee (IASC), it was decided that the United Nations Development Programme (UNDP)

Resident Representative/Resident Coordinator in the Democratic Republic of the Congo would also be the Humanitarian Coordinator for the country in order to ensure the most effective response to the situation. At the subnational level, the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat (OCHA) will continue to maintain a Coordinator for the eastern Democratic Republic of the Congo based in Goma. In a related development, the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat will be opening an office in Lubumbashi.

52. In South Kivu, the National Immunization Days 2001 are being prepared, following the United Nations Children's Fund (UNICEF)/WHO workshop on national planning which was held in Goma in mid-December. The workshop planned by the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat to take place in Kisangani from 9 to 12 December was postponed owing to lack of governmental participation.

53. The Governments of the Republic of Congo and the Central African Republic have continued to express concern that the fighting in Equateur, especially in the immediate border areas, is affecting their stability. In particular, refugees continue to enter both countries and maritime traffic on the Ubangui River has been interrupted causing heavy economic losses. There have also been persistent rumours of MLC elements infiltrating down the Ubangui on the west bank towards the confluence of the Congo and Ubangui rivers.

VII. Human rights

54. The human rights situation in the Democratic Republic of the Congo remains a cause of serious concern. Numerous human rights violations have been continuing with impunity, compounded by renewed outbreaks of political and ethnic tensions. Some of these take the form of clashes between various armed groups and ethnic groups, including the Hema and Lendu in the Ituri district, and the Banyamulenge in South Kivu. The creation by the Government of armed self-defence groups (Forces d'Auto-défense Populaire (FAP)) has also caused unease.

55. Widespread killings and the destruction of property, extrajudiciary executions and forced disappearances, arbitrary arrests and illegal detention of local staff members of international organizations, civil society, business leaders and foreigners living in the Democratic Republic of the Congo, as well as serious restrictions on the freedom of the press and of movement, have characterized the situation recently.

56. From 29 to 31 January, a delegation of the Field Office of the United Nations High Commissioner for Human Rights undertook a mission to Bunia. The delegation was able to collect first-hand information and interview eyewitnesses. On the basis of these preliminary findings, the Office of the United Nations High Commissioner for Human Rights team confirmed that a massacre of ethnic Lendu had been carried out by ethnic Hema militias in Bunia on 19 January. At least 200 people were killed and some 40 wounded. The majority of the victims were civilians, including women and children. Some of them were killed with machetes and some decapitated. Some of the bodies were thrown into open latrines. UPDF troops stood by during the killings and failed to protect the civilians.

57. The Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garretón, issued on 26 January a press release condemning the massacre in Bunia. He called on the Government of Uganda and FLC to order their troops immediately to protect non-combatants and civilians and to launch investigations of the above-mentioned incident with a view to identifying those responsible and bringing them to justice.

58. In addition, serious human rights violations were also reported in the Kivus following the repeated attacks and retaliation by various armed groups. In Bukavu, the local authorities have arrested representatives of civil society and other civilians. Reports have been received that some of the arrested persons have been tortured.

59. Serious inter-ethnic tensions have also been reported in South Kivu Province. According to some reports, massacres of the Banyamulenge population have taken place. Human rights staff from MONUC intend to visit the area to evaluate the situation on the ground, sensitize the local authorities on the alarming reports received and propose further action to be taken to resolve the crisis.

60. In the Government-controlled areas, the representatives of civil society are also subjected to harassment, arbitrary arrest and illegal detention. Recently in Kinshasa, four leaders of the civil society,

and members of a political party and of business were arrested and detained without cause. Journalists working for private media can no longer carry out their functions freely. A recent decision of the Minister of Communications has prohibited the publication of more than 100 local newspapers for non-compliance with government legislation.

61. Cases of arbitrary arrests, summary and extrajudiciary executions are still frequently reported. A recent example is the case of Commander Masasu, a senior army officer arrested for allegedly planning a coup against the late President. The Government has continued to deny reports that Commander Masasu was executed in December. Several other military personnel and civilians from the Kivus and others close to Masasu have also been arrested and detained. These included a local staff member of the Office of the United Nations High Commissioner for Human Rights in the Congo who was arrested in Kinshasa on 3 January and held by DEMIAP (Détection militaire des activités anti-patrie) until his release on 10 January, with serious restrictions on his freedom of movement.

62. The Military Court continues to apply the death penalty. Many defendants are being arbitrarily condemned to death. Recently, on 11 December, the bodyguard of the Chief of Staff of the Police, was condemned to death by this special court. He was accused of having broken into the residence of the Governor of the Central Bank of the Congo even though he insisted that he was innocent. He was executed the following day with seven others from the Central Prison of Kinshasa without having been given a chance to appeal according to conventional international human rights norms. However, in January another suspect was arrested for the same offence.

63. Continuing human rights violations, coupled with the absence of democratic reforms, have brought the country to a political standstill. Even as many members of the opposition are being freed from detention centres, many leaders of the political parties live abroad to avoid harassment and restrictions.

64. Against this background, there have been two positive developments since the visit in October 2000 of the United Nations High Commissioner for Human Rights, Mrs. Robinson, and the commitment made then by the Government of the Democratic Republic of the Congo to improving the human rights situation. Firstly, the Government released 900 detainees, including over 200 political prisoners and journalists. Secondly, the new President has announced that respect for human rights, the security of the individual and of property, the reform of military justice and the constitutionality of governmental action will be the priorities of his Administration. Effective immediately, the jurisdiction of the military courts will be restricted to matters falling under the code of military justice.

VIII. Child protection

65. The situation relating to the recruitment of children into armed forces and various warring groups has not improved significantly during the reporting period. Owing to the growing protest of non-governmental organizations, UNICEF and MONUC, RCD has halted its military recruitment campaign in urban areas. However, RCD has contested the allegation that it was recruiting child soldiers and indicated that the young people had joined the movement of their own accord. They were not deployed to the front lines. However, information received from other sources indicates that recruitment is continuing in rural areas of Kivu, including Kahele, Idjwi Island, Musongati and Rugano. It has also been reported that all newly recruited children are transported to camps in Masisi for military training. The Mushaki camp is believed to have received over 3,000 newly recruited young soldiers, more than 60 per cent of whom are under age 18. MONUC has sought and received from RCD permission to visit the camps. It is hoped that better RCD cooperation with MONUC and UNICEF can lead to the implementation of RCD's 15 May decision to start demobilizing child soldiers.

66. As indicated in my 6 December 2000 report, a considerable number of Congolese children were taken from the Bunia, Beni and Butembo region, apparently for military training in Uganda (para. 75). Concern has been expressed at the possibility that these children will be deployed back to the Democratic Republic of the Congo as soldiers. As the present report was being finalized, information was received that 600 children would be transferred to the custody of humanitarian organizations next week.

67. The late President Kabila had granted access to the military camps for the initiation of the disarmament, demobilization and reintegration process. This is a first step towards the implementation of the 9 June decree on demobilization. UNICEF has

established a working agreement with the local branch of an international NGO, the Bureau International Catholique de l'Enfance (BICE), as the major partner for the process, which will be undertaken in collaboration with the Government.

IX. Financial aspects

68. The General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the amount of $200 million to cover the Mission's immediate requirements and to enable it to initiate logistic preparations for the phased deployment of the formed military personnel. By its subsequent resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of $58.7 million committed for MONUC during the period ending 30 June 2000, authorized me to use during the period beginning 1 July 2000 the amount of $141.3 million representing the balance of the commitment authority provided for MONUC in its resolution 54/260 A.

69. Should the Security Council adopt the draft revised concept of operations for MONUC contained in paragraphs 71 to 84 below, the related immediate costs will be met from within resources already approved by the General Assembly for the current financial period. With regard to the financial period 2001-2002 beginning on 1 July 2001, I shall seek the necessary resources for MONUC from the Assembly during its resumed fifty-fifth session.

70. As at 31 January 2001, unpaid assessed contributions to the MONUC special account amounted to $79.7 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,652.4 million.

X. Next steps

Updated concept of operations

71. On the basis of the experience gained since September 1999, when MONUC was first deployed to the Democratic Republic of the Congo, the Secretariat has developed a revised draft concept of operations for a deployment of military personnel to monitor and verify actions taken by the parties in compliance with the disengagement and redeployment plan they signed at Harare on 6 December. The updated draft concept was elaborated during a visit of Department of Peacekeeping Operations planners to MONUC between 8 and 19 January.

72. Given the fragile ceasefire, the size of the country and the difficulties of access and mobility beyond major towns, the concept of operations is based upon a gradual build-up of capability that encourages the parties to cease hostilities, positions MONUC to respond in a timely and effective manner once the parties begin the disengagement and redeployment process, and minimizes risks to United Nations personnel.

73. Simultaneously, the measures proposed to be taken by MONUC can set in place the conditions for subsequent expansion of the mission for possible later tasks in the eastern provinces.

74. The revised concept of operations has four phases. During the preparatory phase, which is now under way, MONUC will make maximum use of its existing resources to build on its presence in the Democratic Republic of the Congo by deploying further military observer teams and redeploying others to establish sector headquarters at Kisangani, Mbandaka, Kananga and Kalemie.

75. These sector headquarters are an integral part of the command, control and communications infrastructure that will enable MONUC to coordinate the additional military observer teams required for verification and monitoring of the disengagement and redeployment. The four regional joint military commissions (currently located at Lisala, Boende, Kabinda and Kabalo) will be relocated with the MONUC sector headquarters to facilitate the close liaison, coordination and confidence-building required to effect the verification and monitoring process. The regional joint military commissions have requested that MONUC provide them with limited logistic support to enable them to fulfil their functions.

76. The draft concept proposed in the present report envisages the deployment of up to 550 military observers. It will also be necessary to deploy up to 1,900 armed personnel to guard equipment, facilities and supplies located at the sector headquarters and support bases. Two riverine units totalling some 400 troops are also envisaged, as well as the necessary rotary and fixed-wing air assets. At least initially, all deployment and sustainment are expected to take place

through air transportation. The use of specialized support services, whether provided by military units or through commercial contracts, is also envisaged. The total military personnel required will therefore amount to approximately 3,000 officers and other ranks.

77. It is important to stress that the function of the 1,900 armed personnel will be exclusively to guard United Nations facilities, equipment and supplies against tampering or pilfering. They will not be able to extract other United Nations personnel at risk, or accompany humanitarian convoys, nor will they be able to extend protection to the local population. United Nations personnel will be withdrawn from any situation where undue risk appears to be developing. The guard units may be able to assist in any such evacuation.

78. The Harare disengagement plan allows two weeks for the completion of the verification phase, which begins once the parties have disengaged and moved to designated intermediate and new defensive positions. Thereafter MONUC is to conduct verification and monitoring of the process sequentially across the four areas identified within the plan, in blocks of 14 days, for which an additional 32 four-person military observer teams will be required. These teams will initially be based at the sector headquarter sites. They will also be deployed to conduct verification of the redeployment, predominantly by air, employing a mix of rotary and fixed-wing aircraft.

79. The military observer teams currently deployed at the 13 team sites within the Democratic Republic of the Congo contribute significantly to stability in their immediate vicinity and will remain in place to continue their liaison and reporting functions. Where access permits, they will also conduct verification and monitoring tasks.

80. Significant resources will be required to support completion of the verification phase and enable MONUC to maintain effective monitoring thereafter. Appropriate medical facilities, air assets (including full air operations and ground support), communications, general support services and administrative staff will be deployed to each of the sector headquarters.

81. In order to maximize the confidence-building aspects of the MONUC military deployment, it would also be my intention to deploy civilian staff, including political, human rights, humanitarian, public information and child protection officers, to the sector headquarters as the operation proceeded. These civilian officers would need to be provided with appropriate support and equipment, including vehicles and communications facilities.

82. Once the initial redeployment verification is complete, MONUC will continue to monitor the 27 new defensive positions to be occupied by the FAC/SADC allies and MLC/UPDF and the 15 intermediate positions of RCD/RPA. A second redeployment of RCD/RPA will follow, under MONUC verification, resulting in the consolidation of these forces at 12 new defensive positions.

83. Upon completion of the disengagement and redeployment operation, MONUC will be positioned and capable of monitoring continuously the parties' forces occupying a total of 39 new defensive positions. In addition, MONUC will need the capability to deploy military observers to investigate specific incidents, report on alleged violations and monitor the activities of any sizeable forces not declared as part of the disengagement plan but within 50 kilometres of the disengagement zone. It is anticipated that a further 38 military observer teams will be required to sustain this prolonged monitoring phase. In the event that RPA withdraws some of its units to any of its 11 designated new defensive positions, further observer teams may be required to provide constant monitoring of up to 53 separate positions. If required, four small coordination centres, subordinated to the four sector headquarters, will be established to ease control of the increased military observer activity.

84. It is intended to deploy river boat units, probably at Kinshasa and Mbandaka, to build confidence by showing a United Nations presence, enhancing the flexibility of MONUC re-supply activities and assisting with the movement of military observers where access is otherwise restricted. An additional benefit could be the stimulation of trade along the river. MONUC also intends to put in place a public information capability that will enable it to explain and clarify MONUC's intentions and activities and to respond in a more timely and effective manner to statements by the parties.

Deployment of infantry units

85. In paragraph 8 of its resolution 1332 (2000), the Security Council expressed its readiness to support the

Secretary-General, as soon as he considered that conditions allowed it, in the deployment of infantry units in support of the military observers in Kisangani and Mbandaka in due course and, subject to the proposals submitted by him under paragraph 7 of that resolution, to other areas he might deem necessary, including possibly to Goma or Bukavu.

86. MONUC will continue to assess the conditions for infantry deployment in the Democratic Republic of the Congo, within the context of paragraphs 7 and 8 of Security Council resolution 1332 (2000). The situation in this regard is expected to become clearer following the successful completion of the present disengagement and redeployment plan, and a separate report will be submitted at that time.

Situation in eastern provinces and border areas

87. The situation in the eastern Democratic Republic of the Congo, in particular the Kivus, remains volatile. The present conflict in the Democratic Republic of the Congo, and its predecessor in 1996, began in the Kivus. The territories are now home to the RCD rebels, RPA troops and several militia groups. They are highly militarized zones and have been the site of widespread suffering, humanitarian deprivation and human rights violations. The economy and society of the Kivus have been devastated and long-standing ethnic tensions have been inflamed by repeated heavy flows of refugees and displaced persons.

88. The Lusaka Ceasefire Agreement acknowledged the concerns of Rwanda, Uganda and Burundi over the presence of the armed groups which threaten the security of their borders, and recognized that the withdrawal of Rwandan and Ugandan troops would be linked directly to progress made in the disarmament and demobilization of the militias. The Agreement called for a mechanism for the disarming of militias and armed groups, including the genocidal forces.

89. The issue was raised in the summit meeting convened by President Qaddafi in November 2000 (see S/2000/1156, para. 14). Subsequently, following the Maputo summit of 16 October, two meetings of Defence Ministers took place in Pretoria to consider plans put forward by the Democratic Republic of the Congo and Rwanda. However, both plans merely assumed that a United Nations force on the borders of Rwanda and Uganda would have the responsibility for disarmament of the armed groups.

90. MONUC has assessed that a peacekeeping force on its own is unlikely to achieve the desired result of restoring peace, security and stability to the Kivus. Additional efforts are required to repair relations between ethnic groups in the Kivus, ensure respect for human rights, address the humanitarian disaster engulfing the population, and resolve land and citizenship issues.

Establishment of a permanent follow-up mechanism

91. In my last report, I detailed the intense diplomatic activity and personal initiatives of Heads of State in the region and commended their dedication and perseverance in efforts to put the peace process back on track. I observed, however, that broad agreement on the key questions had so far not been achieved, and expressed the view that the best way to achieve such agreement would be to build on the valuable diplomatic initiatives taken and to provide a framework and a stimulus for their follow-up. As noted in paragraph 2 above, the Security Council requested me to report further on this matter.

92. My consideration of the need for the establishment of a mechanism to draw together the various diplomatic initiatives and pursue workable arrangements came at a time when little progress was being made in the peace process. While the underlying problems at the heart of the conflict have not yet been resolved, the positive signals given by the new President of the Democratic Republic of the Congo regarding the implementation of the Lusaka Agreement and his openness towards the international community give reason to hope that the goodwill that he has demonstrated can be translated into progress in convening the inter-Congolese dialogue, implementing the Harare disengagement plan and addressing the complex issue of the armed groups. In addition, an increased level of bilateral contacts have been taking place that could do much to build confidence between the parties and lead to tangible results. The direct talks between President Buyoya and the leader of FDD, and between President Kabila and President Kagame in Washington, D.C., on 1 February, are an indication of a more positive approach by the parties concerned and

the Government of the Democratic Republic of the Congo in particular.

93. I believe that sufficient time should be allowed for the new positive spirit and encouraging contacts to bear fruit. Accordingly, I believe it would be prudent to delay submitting proposals for the establishment of a new mechanism within the peace process and to keep the situation under review. I encourage the Heads of State in the region to pursue their initiatives to reactivate the peace process.

Strengthening the MONUC human rights component

94. The main activities of MONUC's human rights component so far have been monitoring and reporting government activities. With a view to expanding its activities, MONUC, together with the Office of the United Nations High Commissioner for Human Rights, has been designing programmes aimed at building the capacity of the justice and prison systems of the Democratic Republic of the Congo, as well as technical assistance to civil society. Once implemented, these would help the Government of the Democratic Republic of the Congo to meet its human rights obligations under the Constitution of the Democratic Republic of the Congo and the international human rights instruments it has ratified.

95. Additional programmes include raising human rights awareness and stimulating debate; the exercise of individual rights; strengthening civil society; and the integration of human rights principles into the activities of the international community in the Democratic Republic of the Congo. MONUC also intends to deploy human rights officers to the military sector headquarters identified in paragraph 74 above, as well as in Bukavu, Kindu, Gbadolite, Kananga and Boende.

XI. Observations and recommendations

96. The tumultuous events in the Democratic Republic of the Congo, tragic as they were, have transformed the situation in a way that gives grounds for cautious hope. The successive visits of President Joseph Kabila and President Kagame, first to Washington, D.C., and then to United Nations Headquarters to meet with me and with the Security Council, can be seen as marking the beginning of a new stage in the consideration by the United Nations of the conflict in the Democratic Republic of the Congo.

97. I am heartened by the calm that has descended on the confrontation lines that divide the hostile forces in the Democratic Republic of the Congo. Almost since it was signed, in July and August 1999, the Lusaka Ceasefire Agreement has been subjected to regular, and sometimes large-scale, violations by the parties that signed it. That fact that no significant violations of the ceasefire have been reported since mid-January is in itself a cause of satisfaction.

98. Equally hopeful are the signs, which await clarification, that the Government of the Democratic Republic of the Congo may be willing to accept the role of Sir Ketumile Masire, the neutral facilitator appointed pursuant to the Lusaka Agreement to help bring together all Congolese to discuss the governance of their country. When Sir Ketumile can resume his essential functions in this regard, and whether he will do so in collaboration with a co-facilitator, or some other form of high-level assistance, are questions that remain to be resolved. I look forward to further developments in this matter, and would be grateful for any advice and assistance that OAU may be able to offer. The general liberalization of the political climate in the Democratic Republic of the Congo would do much to set a positive tone for this wide-ranging dialogue.

99. Amid these grounds for cautious optimism, the United Nations should be ready to advance, at least with small steps. The revised concept of operations, which I propose to the Security Council in paragraphs 71 to 84 above, is designed to equip MONUC to assist the parties in carrying out the disengagement of their forces along a confrontation line that currently divides the Democratic Republic of the Congo in half. A successful disengagement, under the monitoring and verification of United Nations military observers, would be an important advance towards the goals that have been endorsed both by the Lusaka Agreement and by the Council. I refer to the early withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo.

100. I therefore recommend to the Security Council the adoption of the draft concept I have proposed, and call for the support of Council members and troop-contributing countries as we take the steps necessary to

carry it out. I also recommend that MONUC be strengthened with the addition of the necessary additional civilian staff, including a reinforced human rights component, as outlined above.

101. The commitment to peace that President Joseph Kabila has already demonstrated is welcome for many reasons. Respect for the ceasefire could permit humanitarian agencies to gain access to all populations in need. Greater progress could be achieved in promoting human rights and the rights of children, including child soldiers, once the fighting has stopped. It would also be possible to address outbreaks of communal violence not directly related to the main conflict, such as those in Ituri and South Kivu.

102. I deplore the outbreaks of intercommunal violence in Bunia and in South Kivu. I call on the local authorities in each case to find peaceful ways of resolving the issues, to permit secure humanitarian access as soon as possible, and to refrain from taking any action that might inflame those issues. I also call on them to cooperate with MONUC human rights officers and the Special Rapporteur in any investigation that might be launched into these outbreaks of violence.

103. The involvement of regional Heads of State in the search for solutions to the conflict in the Democratic Republic of the Congo has been a considerable asset to the international community. I commend the initiatives launched by the Heads of State most concerned aimed at building on agreements reached at Lusaka, Maputo and elsewhere. I had the opportunity to discuss some of these initiatives at the Afrique-France conference at Yaoundé in mid-January and at the Davos economic summit at the end of that month.

104. Finally, I wish to express my appreciation to my Special Representative, Kamel Morjane, and to the MONUC Force Commander and to all the civilian and military personnel of MONUC for their commitment, and encourage them to continue their efforts as they prepare for the next stage of their activities in the Democratic Republic of the Congo.

Annex

United Nations Mission in the Democratic Republic of the Congo as at 8 February 2001

	Military observers	*Staff officers*	*Total*
Algeria	6	-	6
Bangladesh	4	8	12
Belgium	-	1	1
Benin	5	3	8
Bolivia	1	-	1
Burkina Faso	2	-	2
Canada	-	2	2
Czech Republic	3	-	3
Denmark	1	1	2
Egypt	9	-	9
France	1	2	3
Ghana	4	-	4
India	5	2	7
Jordan	2	-	2
Kenya	-	4	4
Libyan Arab Jamahiriya	3	-	3
Malaysia	2	7	9
Mali	1	-	1
Morocco	-	4	4
Nepal	7	-	7
Niger	2	1	3
Nigeria	6	-	6
Pakistan	13	9	22
Peru	3	-	3
Poland	1	-	1
Romania	5	1	6
Russian Federation	2	-	2
Senegal	8	17	25
South Africa	1	-	1
Switzerland	-	1	1
Tunisia	6	-	6
Ukraine	4	-	4
United Kingdom of Great Britain and Northern Ireland	-	4	4
United Republic of Tanzania	4	1	5
Uruguay	8	8	16
Zambia	5	-	5
Total	**124**	**76**	**200**

Map No. 4121 Rev. 7 UNITED NATIONS
February 2001

Department of Public Information
Cartographic Section

United Nations S/2001/129

Security Council

Distr.: General
13 February 2001
English
Original: French

Letter dated 12 February 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit to you herewith the text of a letter dated 12 February 2001 from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would have the text of the present letter and its annex distributed as a document of the Security Council.

(*Signed*) Kofi A. **Annan**

01-24907 (E) 130201 130201

Annex

[Original: English]

Letter dated 12 February 2001 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I would be grateful if you could arrange to transmit to the President of the Security Council the attached letter (see enclosure) informing the Security Council of the recent safeguards inspection carried out by the International Atomic Energy Agency (IAEA) in Iraq in accordance with the Safeguards Agreements concluded between Iraq and IAEA pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons.

(*Signed*) Mohamed **ElBaradei**

Enclosure

Letter dated 12 February 2001 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

I refer to my letter of 22 December 2000 (S/2001/26 of 10 January 2001), in which I informed the Security Council of the intention of the International Atomic Energy Agency (IAEA) to conduct a safeguards inspection in Iraq in accordance with the Safeguards Agreement concluded between Iraq and IAEA pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons.

I am pleased to confirm that, between 20 and 23 January 2001, a four-person IAEA team carried out a physical inventory verification of the declared nuclear material remaining in Iraq under IAEA seal. The Agency inspectors were able to verify the presence of the nuclear material subject to safeguards, which consists of low enriched, natural and depleted uranium. For its part, Iraq provided the necessary cooperation for the inspection team to perform its activities effectively and efficiently.

As was the case in 2000, this inspection had the limited objective of verifying the presence of the nuclear material in question. It was not intended nor could it serve as a substitute for the Agency's activities under the relevant Security Council resolutions. The resumption by the Agency of these activities is essential if the Agency is to fulfil the mandate entrusted to it under those resolutions and to provide the necessary assurances sought by the Security Council.

I should be grateful if you would kindly arrange for the present letter to be distributed as a document of the Security Council.

(*Signed*) Mohamed **ElBaradei**

United Nations S/2001/130

Security Council

Distr.: General
13 February 2001

Original: English

Letter dated 13 February 2001 from the Permanent Representative of Singapore to the United Nations addressed to the President of the Security Council

We had a comprehensive and fruitful exchange of views at the Security Council's open debate on the theme "strengthening cooperation with troop-contributing countries" on 16 January 2001. In a statement by the President of the Security Council dated 31 January 2001 (S/PRST/2001/3), the Council took note of the views expressed in the debate and also recognized the need for a transparent three-way relationship between the Council, the Secretariat and the troop-contributing countries that will foster a new spirit of partnership, cooperation and confidence.

The Council established a working group of the whole on United Nations peacekeeping operations, which was also requested, as a first step, to undertake an in-depth consideration of, inter alia, all the proposals made in the Council's public meeting on 16 January 2001. The presidential statement noted that an indicative list of all the ideas and proposals arising from the meeting on 16 January 2001 would be forwarded to the working group for its consideration.

The Singapore delegation has carefully studied and analysed all the statements made at the open debate on 16 January 2001 in an effort to prepare a comprehensive and detailed indicative list of all the ideas and proposals put forward. The ideas and proposals can be clustered into three distinct areas:

(a) Suggestions for improving the form and content of meetings and consultations in the three-way relationship between the Council, the troop-contributing countries and the Secretariat;

(b) Suggestions for other mechanisms and measures to strengthen communication, consultations and cooperation between the three partners, including in accordance with paragraph 61 of the report of the Panel on United Nations Peace Operations (see A/55/305-S/2000/809) and in furtherance of Security Council resolution 1327 (2000) of 13 November 2000;

(c) Suggestions for tackling persistent peacekeeping problems, such as the shortfall in the contributions of troops and civilian police to United Nations peacekeeping operations, the failures and shortcomings of United Nations peacekeeping operations and the safety and security of peacekeepers.

A paper listing all the suggestions is attached (see annex). While some of the suggestions may appear repetitive, we have decided to include even slight variations

01-24947 (E) 140201

since differences in nuance are significant in this discussion. Our goal was to be comprehensive and to include all suggestions (except those points already listed in S/PRST/2001/3). We would like to apologize if we failed to capture any suggestion made in the open debate.

We would like to forward the list to the working group for its consideration. We hope that the working group will find this list useful in its work on fostering a new spirit of partnership, cooperation and confidence in the three-way relationship. The list is by no means exhaustive. Other suggestions could be raised in the working group.

I would be grateful if this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Kishore **Mahbubani**
Ambassador Extraordinary and Plenipotentiary

Annex to the letter dated 13 February 2001 from the Permanent Representative of Singapore to the United Nations addressed to the President of the Security Council

Indicative list of ideas and proposals arising from the open debate on "strengthening cooperation with troop-contributing countries" on 16 January 2001

A. Improvement of Meetings and Consultations

1. Full implementation of the relevant provisions of Security Council resolution 1327 (2000) of 13 November 2000.

2. Consideration of the relevant provisions of General Assembly resolution 55/135 of 8 December 2000.

3. Full implementation of the guidelines for TCC meetings laid down in the statement of the President of the Security Council on 28 March 1996 (S/PRST/1996/13) and 4 November 1994 (S/PRST/1994/62).

4. Private meetings with troop-contributing countries as provided for in resolution 1327 (2000) should become an integral part of the Security Council's and the Secretariat's planning and conduct of peacekeeping operations. They should be organised more often and more systematically.

5. Formalisation of the modalities, including the format, procedures and documentation, and substantive guidelines for private meetings with troop-contributing countries. These should be adhered to and constantly improved upon.

6. The private meeting between the Council and troop-contributing countries to the United Nations Mission in Sierra Leone (UNAMSIL) held on 4 October 2000 could serve as a model for the private meetings with troop-contributing countries.

7. Council members and Secretariat representatives should be present at a senior level at all consultations with troop-contributing countries. The latter should also be present at an appropriate level.

8. Meetings with troop-contributing countries should be held in good time, well before the Council takes decisions on the extension or termination of, or the modification of the mandate of a peacekeeping operation.

9. Institutionalisation of a consultation process between troop-contributing

countries and the Council at all stages of a United Nations peacekeeping operation, including the planning stages.

10. Consultations should be held when the mandate of a new peacekeeping operation is being formulated, when the concept and/or plan of operation of a peacekeeping operation are being considered, when the extension of the mandate of a peacekeeping operation is being considered, when a substantive modification of the mandate of a peacekeeping operation - including the broadening or narrowing of its scope, changes in the rules of engagement and the introduction of new functions or components – is being considered, when significant developments occur which in the opinion of the Secretary-General, members of the Council or troop-contributing countries are likely to be affect materially the functioning of the operation and/or its ability to fulfil its mandate, and when the withdrawal in whole or in part of an operation is being considered.

11. Consultations should be part of the process of developing and refining the concept of operation for a United Nations peacekeeping operation. This should be considered at the meetings with troop-contributing countries.

12. Consultations should be held before the Council changes the status of a United Nations peacekeeping operation, the legal framework within which peacekeepers operate, or the rules of engagement.

13. Consultations are necessary when addressing the transition from peacekeeping to peace-building, considering that peacekeepers are uniquely placed to ensure that this process takes place in a secure environment.

14. The Council should respond to any request by a troop-contributing country to convene a meeting with troop-contributing countries, especially in cases where the Council is considering an amendment or review of a given peacekeeping mandate, or when there is a significant deterioration of security conditions in the region where the mission is operating that would jeopardise the safety and security of its personnel.

15. Striving for greater transparency throughout all phases of a peacekeeping operation.

16. The Secretariat should provide troop-contributing countries and Council members background materials and an agenda well in advance of

meetings with troop-contributing countries, as provided for in S/PRST/1996/13. Similarly, the date and venue should be, as far as circumstances allow, announced in the Journal of the United Nations several days before the event.

17. The Secretariat should improve access to information in order to facilitate a meaningful and full exchange of views. It should provide information of high quality and accuracy to enable meaningful consultations, effective planning, and formulation of clear and credible mandates. It should provide unvarnished and professional reports to Council members and the troop-contributing countries.

18. Meetings with troop-contributing countries should include the necessary comprehensive and substantive briefings by the Secretariat. The substantive content and nature of the Secretariat's briefings should be in line with the letter and spirit of resolution 1327 (2000). The Secretariat should go beyond generally available information and analysis of situations. The troop-contributing countries should be taken into confidence. The briefings should be in line with those given to the Council, of a higher level of expertise and analysis, and include frank assessments of developments. They should tell the troop-contributing countries what they need to know.

19. Improving the quality of military advice given to the Council to ensure that Council decisions are militarily sound. The United Nations Military Adviser should continue to brief the Council on military matters. He should also be available to brief troop-contributing countries.

20. Military briefings by the Secretariat should include concept of operations and key military factors, such as chain of command, force structure, unity and cohesion of the force, training and equipment, risk assessment and rules of engagement.

21. A fuller military appreciation should be given by the Secretariat at a meeting with troop-contributing countries, if the Council is considering a significant alteration of the mandate or the size of the force of a peacekeeping operation.

22. The Secretariat should, if need be, share the political and military briefing notes informally with the troop-contributing countries and Council members. It is requested to make available the briefing notes to the troop-contributing countries and Council members well in advance of consultations.

23. Encouraging substantive and meaningful dialogue in the meetings with troop-contributing countries.

24. Consultations should ensure that the troop-contributing countries are clear about the goals and concerns of the Council and know what to expect in both general and specific terms, including the scope of the peacekeeping operation, the strategies for the operation, and the risks and threats involved.

25. Troop-contributing countries should be apprised of all necessary aspects so that they can undertake an objective analysis of the situation, give their views and inputs to the Council and the Secretariat, decide on their participation in the peacekeeping operation, and better prepare themselves and their troops for the operation.

26. Meetings with troop-contributing countries could address the question of the safety and security of peacekeepers.

27. Participants in the meetings with troop-contributing countries should share operational information, including about situation on the ground, which they have.

28. At the early stages of consultation, it would be useful to take onboard inputs from the Lessons Learned Unit of the Department of Peacekeeping Operations.

29. More frequent attendance by the Special Representatives of the Secretary-General and/or Force Commanders at the meetings with troop-contributing countries could be useful.

30. Continuation of the practice, as stated in S/PRST/1996/13, of inviting to the meetings with troop-contributing countries, Member States which make special contributions to peacekeeping operations other than troops – that is, civilian personnel, contributions to trust funds, logistics and equipment.

31. Possibility of regional organisations taking part in United Nations peacekeeping operations with coordinated forces participating in consultations with the Council and troop-contributing countries.

32. Possibility of the host country of a peacekeeping operation and the countries in the region especially affected participating in the meetings

with troop-contributing countries, based on the circumstances of each case.

33. The Secretariat should keep a record of the meetings with troop-contributing countries, as necessary.

34. Every report of the Secretary-General to the Council on developments affecting peacekeeping operations should include his assessment of the consultations held with troop-contributing countries.

35. The Council should take into account the views and inputs provided by troop-contributing countries in its decision-making on peacekeeping operations. It should have more substantive discussions on the views and points expressed by troop-contributing countries at the meetings with troop-contributing countries during its informal consultations.

36. If the views of troop-contributing countries could not be reflected in the Council's decision, the Council should explain to them why while preserving confidence.

37. Possibility for the troop-contributing countries to exchange views with the Council through its President should continue.

38. Troop-contributing countries providing formed units to a peacekeeping operation should have access to Secretariat briefings to the Council on matters affecting the safety and security of their personnel, or pertaining to a change or reinterpretation of a mission's mandate with respect to the use of force.

39. Troop-contributing countries should be recognised as parties in respect of a conflict area, including the question of calling for a Council meeting.

40. The Secretariat holding regular meetings for and providing timely, relevant and comprehensive information regarding the situation on the ground to troop-contributing countries enable them to follow peacekeeping operations at every stage.

41. Informal consultations between troop-contributing countries and the Secretariat remain critical to the task of preparing and sustaining effective peacekeeping operations.

42. The planning process within the Secretariat can be made more

effective, coherent and transparent, by involving troop-contributing countries in the early stages of planning and throughout the lifetime of a mission particularly with regard to risk analysis and rules of engagement. Senior planners from troop-contributing countries could be brought to the Secretariat on a short-term basis to assist in mission planning.

43. The Secretariat should consult troop-contributing countries during the preparation and review of guidelines for United Nations peacekeepers.

44. The Secretariat should hold more regular meetings for troop-contributing countries to meet with Special Representatives of the Secretary-General and/or Force Commanders.

45. The Secretariat should for each peacekeeping mission develop a dossier that contains the names and contact information of the relevant personnel in the Department of Peacekeeping Operations and other United Nations bodies and agencies involved in the mission.

46. Consultations between the Council and regional actors, where appropriate, should be sustained and institutionalised. The Secretariat is requested to assume responsibility for the transportation and accommodation costs of delegates invited from the capitals to brief or consult with the Council or the Secretariat.

47. More flexible forms of exchange and communication between the Council, the Secretariat, and troop-contributing countries should be considered to inspire a free exchange of views. Other types of consultations with different formats could be held according to how things develop in the future.

B Mechanisms and Measures

1. Putting in place a structure for ongoing dialogue between the Council and troop-contributing countries. This arrangement could operate both vertically, in relation to individual peacekeeping missions, and horizontally, in relation to cross-cutting issues concerning peacekeeping. This mechanism should not replace the current provisions under which the Council has formal consultations with troop-contributing countries prior to each mandate renewal.

2. Institutionalisation of a mechanism allowing for the participation of troop-contributing countries in the Council's decision-making process at

all stages of a United Nations peacekeeping operation, including at the initial stages of planning.

3. Establishment of ad hoc subsidiary organs of the Council, as provided for in Article 29 of the United Nations Charter, in an appropriate form.

4. Establishment of ad hoc subsidiary organs of the Council, as provided for in Article 29 of the United Nations Charter, based around a "core group" of troop-contributing countries for each peacekeeping operation, as identified by the Secretary-General. They would become operational at the conceptual phase of each operation. Consultations with the "core group" should begin well in advance of the establishment of the operation and be factored into the drawing up of new mandates. These will continue on a regular basis throughout the implementation phase, held in particular when the Council is considering a change in the mandate of an operation, including the use of force, or renewal of or completion of as mandate, or when there is a rapid deterioration of the situation on the ground, which threatens the safety and security of peacekeepers. The proposal does not supplant the Charter role of the Council.

5. Establishment of a body for each peacekeeping operation, comprising members of the Council, the troop-contributing countries contributing formed units to the peacekeeping operation and the concerned members of the Secretariat. The body will meet regularly at all stages of a peacekeeping operation, including the earliest stages of mission planning, when the Council is formulating the mandates or legal framework within which the peacekeepers operate, when preparations are underway for deployment, whenever there are significant changes in the situation on the ground especially a rapid deterioration of the situation that threatens the safety and security of peacekeepers, when the Council is considering changes in the mandates or legal framework, and when the Council is considering winding up or scaling down the peacekeeping operation.

6. Establishment for each United Nations peacekeeping operation of an "operation-specific cooperative committee", under Article 29 of the United Nations Charter. It will comprise members of the Council, the troop-contributing countries contributing formed military units and/or senior command personnel, and the concerned members of the Secretariat. The body, presided over by a Council member with a natural lead interest in the situation, will meet regularly at all stages of a peacekeeping operation. It will be a decision-making body and will

entail troop-contributing countries participating in the pre-decision-making of the Council. Decisions will normally be made by consensus. Troop-contributing countries that could not rally to an emerging consensus will withdraw. The Secretariat will actively support the body; participation by the relevant UN agencies would be essential. In every phase of a peacekeeping operation, it will be important that the committee receive sound military advice from the United Nations Military Adviser and the Force Commander. They should be able to answer the key questions whether the plan is militarily sound and if the forces proposed for the operation are sufficient. The parties to the conflict will be excluded. Modalities for consultations with the parties to the conflict will be developed on a case-by-case basis. (A detailed proposal is contained in Security Council document S/2001/73 of 23 January 2001.)

7. Establishment of a formal committee to institutionalise troop-contributing countries' advice to the Council. The committee, chaired by the President, should comprise all Council members and all troop-contributing countries which contribute formed units to the peacekeeping operation on the Committee's agenda. The Committee will have a regular cycle of meetings, as well as convene to discuss new deployments, new mandates and other significant changes to an operation, including troop reductions. The committee could be assisted by an informal sub-committee, perhaps at experts' level and including officials of the Department of Peacekeeping Operations.

8. Groups of friends play a useful role when they are open and bring together the Council members, the main troop-contributing countries, the countries of the region, and possibly foreign donors.

9. The Council's Working Group on United Nations peacekeeping operations could establish a more direct link with the troop-contributing countries. The latter could form a corresponding group for each main peacekeeping operation.

10. Exploiting the potential of the Military Staff Committee to strengthen United Nations peacekeeping activities.

11. Tasking, in accordance with Article 47 of the United Nations Charter, the Military Staff Committee to provide advice to and assist the Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security. In addition to the Chiefs of Staff of the permanent members of the Security Council or

their representatives, the Military Staff Committee shall invite the Chiefs of Staff or their representatives of elected members of the Security Council and those troop-contributing countries who contribute formed units to a particular peacekeeping operation, to participate in its meetings in order to enable the Committee to assist the Council in a comprehensive manner as envisaged under the United Nations Charter.

12. Troop-contributing countries should commit themselves to an agreed set of tasks with the resources and problems identified and establish that they have the means to discharge their obligations, when agreeing to participation in a United Nations peacekeeping operation.

13. Troop-contributing countries should be informed and accept in advance material changes to the terms and conditions under which they committed their troops. This is essential when there is a formal change from a Chapter VI to a Chapter VII mandate.

14. Establishing a mechanism which gives effect to Articles 43 and 44 of the United Nations Charter, in particular inviting countries which have contributed formed units to a particular peacekeeping operation to participate in decision-making by the Council concerning the employment of their formed units, at significant stages of a peacekeeping operation.

15. While authorising the use of force, the Council should adhere to and follow the procedure laid down in Articles 43 and 44 of the United Nations Charter, in particular inviting countries which have contributed formed units to a particular peacekeeping operation to participate in decision-making by the Council concerning the employment of their formed units.

16. Each peacekeeping operation authorised by the Council should have its own mechanisms for consultations and cooperation between the Council, the troop-contributing countries and the Secretariat.

17. The responsibilities of the Council, the troop-contributing countries and the Secretariat in the partnership should not be blurred.

18. The Council has the primary responsibility for maintaining international peace and security, and the ultimate decision-making authority on peacekeeping operations. Any mechanism, process or structure should not hinder Council decision-making, in particular undercut the

Council's ability to make effective and timely decisions. The efficiency of the Council in fulfilling its responsibilities, as set out in the United Nations Charter, should not be affected.

19. National contingents of troop-contributing countries in a peacekeeping operation could, based on their experience on the ground, report their views on any particular aspect of the operation to the Force Commander and/or the Special Representative of the Secretary-General. The latter would take this information into account in preparing the relevant reports of the Secretary-General to the Council.

20. Continuation of the meetings between Council members and troop-contributing countries before and after Council missions to on-going United Nations peacekeeping operations.

21. Participation of troop-contributing countries and other Member States, when appropriate, in public meetings of the Council to discuss the reports of Council missions to United Nations peacekeeping operations.

22. Inclusion, when appropriate, of major troop-contributing countries on Council Missions to on-going United Nations peacekeeping operations.

23. Encouraging the ACABQ to meet with troop-contributing countries before it leaves for field trips to United Nations peacekeeping operations, and to hold informal discussions with Council members and troop-contributing countries on its return.

24. Conduct of reconnaissance missions by all troop-contributing countries contributing formed units to a peacekeeping operation to the area of operations of the operation prior to the deployment of their troops. These missions should be funded by the United Nations and their reports shared with the Secretariat, the Council and concerned troop-contributing countries, if necessary, during meetings in New York. If a meeting between the Council, the Secretariat and the troop-contributing countries cannot be arranged, the Secretariat should record faithfully and circulate to all concerned what a reconnaissance team has returned with.

25. Association of troop-contributing countries with the Secretariat's briefings to donors on activities financed through trust funds, particularly those activities which involve the tasking of peacekeepers.

26. The Council, troop-contributing countries and the Secretariat holding an

assessment meeting at the conclusion of a peacekeeping operation to draw lessons and identify the strong points and lacunae of the operation, which will help improve future operations.

27. Communication and coordination problems within the various components of the Secretariat resulting in troop-contributing countries getting mixed signals and directions should be looked into and given high priority in the upcoming comprehensive review of the Department of Peacekeeping Operations by the Department.

28. The Secretariat should be able to rely on its own sources of information as much as possible, so as to provide more accurate information and analyses in a timely manner. This also means that the Secretariat should have a proper analytical capacity. The concept of an ECPS Information and Strategic Analysis Secretariat (EISAS), contained in the Report of the Panel on Peace Operations, should be revisited.

C. Issues

1. Full implementation of other provisions of Security Council resolution 1327 (2000).

2. Consideration of other provisions of General Assembly resolution 55/135.

3. Need for a comprehensive approach to peacekeeping that looks at reform in a cohesive way and raises the professional capability of the United Nations across the board.

4. One of the key needs is the Council giving peacekeeping operations clear, credible and achievable mandates. The phenomenon of incremental reinterpretations of mandates and of "mission creep" should be avoided.

5. The host country of a United Nations peacekeeping operation has the obligation to resolve or manage conflicts, to assist the mission, and to honour its commitment for the continuation of the mission.

6. Peacekeeping operations in volatile situations should, from the onset, have contingency plans, security back-ups and exit strategies with the necessary provisions and facilities.

7. All efforts should be made and further measures developed as a priority

to ensure the safety and security of peacekeepers. A properly planned and mandated mission, comprising well-trained, equipped and disciplined contingents, will contribute significantly to this.

8. The contributions of personnel and resources by all Member States, particularly the Permanent Members of the Security Council and those with the greatest capacity to do so, is critically important for bridging the commitment gap, facilitating rapid deployment and enhancing the credibility, effectiveness and success of United Nations peacekeeping operations.

9. The Council and the Secretariat should be more proactive in motivating potential troop-contributing countries to contribute peacekeepers to United Nations peacekeeping operations. This includes providing them with the necessary information to make a decision.

10. Upgrading the United Nations Standby Arrangements.

11. Priority should be given to those troop-contributing countries participating in the United Nations Standby Arrangements to participate in peacekeeping operations. The troop-contributing countries should aim to commit well-trained and well-equipped troops to the Standby Arrangements. Serious efforts should be made to evaluate and, where necessary, upgrade their assets to United Nations standards through training and technical support from the Secretariat and/or developed countries so as to ensure their readiness for deployment for peacekeeping operations. It could be crucial for a peacekeeping operation that well-trained and well-equipped troops are ready to deploy at short notice when needed.

12. Upgrading of the United Nations Staff College in Turin and establishment of regional United Nations staff colleges to provide the necessary training to military officers of troop-contributing countries, in addition to the ongoing support given to national peacekeeping centres.

13. The Council and the Secretariat should facilitate cross-matching of troops and equipment to reduce the gaps in the contribution of troops.

14. Procurement of armoury in bulk, and at a more reasonable cost, by the United Nations for the equipping of peacekeeping troops.

15. Provision of logistical, training and other technical support by developed countries to troop-contributing countries from the developing

world, even as the former countries participate in peacekeeping operations.

16. Ensuring proper and effective command and control, backed by trained and professional staff. It is essential that all troop-contributing countries, without exception, accept the doctrine of unified United Nations command in United Nations peacekeeping operations.

17. Selection of a highly qualified force commander with the right attributes, and giving the officer the opportunity to interact with Council members and troop-contributing countries through briefing sessions in New York.

18. The Secretariat should be given the necessary human and financial resources to strengthen its capacity to plan, deploy and conduct peacekeeping operations, and to respond to the demands placed on it including improving its quality of service to troop-contributing countries and the Council.

19. Encouraging the Secretariat to make special efforts, if necessary through special media briefings, to project a correct perspective of United Nations peacekeeping operations particularly difficult missions, and the performance of the troops where merited. In a crisis, the Council, the Secretariat and the troop-contributing countries should have a way, perhaps through consultations and joint briefings, to put out a common point of view.

20. Reinforcing cooperation between the United Nations and regional organisations and institutions.

21. Possibility of another open debate on "Strengthening Cooperation with Troop-Contributing Countries" being held in one year's time to gauge how successful we have been in fulfilling the aims - to be considered by the then President of the Council.

United Nations A/ES-10/58–S/2001/131

General Assembly
Security Council

Distr.: General
13 February 2001

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 13 February 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

The Israeli occupying forces continue the bloody military campaign against the Palestinian civilian population in the Occupied Palestinian Territory, including Jerusalem. Yesterday, Israeli soldiers wilfully killed two Palestinian civilians in two different locations, in both instances without any provocation or disturbance. In the first case, the soldiers at a makeshift checkpoint shot at a taxi, killing the driver and critically wounding others. In the second case, the Israeli occupying forces shot a person who was sitting in a minibus transporting workers after the bus had actually turned around upon the instructions of the soldier.

Yesterday, the Israeli occupying forces also bombarded Khan Yunis refugee camp in Gaza, using heavy weaponry and injuring at least 50 people. Furthermore, the Israeli occupying forces continue with the wanton and extensive destruction of Palestinian homes and properties. Yesterday, Israeli bulldozers destroyed two more Palestinian homes. This recent increase in the intensity of the brutal Israeli military campaign cannot be separated from the unfortunate election of Mr. Ariel Sharon as the new Israeli Prime Minister.

Today, the Israeli occupying forces committed yet another assassination, killing Mr. Massoud Ayad, a 60-year-old security police officer, by using helicopter gunships to fire missiles at his vehicle. Israeli caretaker Prime Minister Ehud Barak sent his "heartfelt congratulations" to the army for killing Mr. Ayad, officially confirming the policy of assassination and taking personal responsibility for the decision to commit such a crime. Also today, the Israeli occupying forces shot and killed a 14-year-old, without any warning, while he was walking with a group of friends along a main road in Gaza about 500 metres from an army outpost.

In follow-up to my last letters to you, dated from 29 September 2000 to 2 February 2001 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068;

01-24978 (E) 140201

A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; and A/ES-10/56-S/2001/50; A/55/60-S/2001/98; A/ES-10/57-S/2001/101), seven more Palestinian civilians, including the martyrs mentioned above, have been killed by the Israeli occupying forces bringing the total number of Palestinian martyrs to 348 (the names of the seven martyrs are contained in the annex). In addition, the number of Palestinians wounded and injured (many of them severely and permanently) by the Israeli occupying forces continues to rise.

I would also like to refer to the letter from the Israeli Ambassador addressed to you, dated 9 February 2001, in which he repeated the ludicrous claim about incitement by the Palestinian Authority. This letter is just another example of Israeli insistence on ignoring the real reason for the conflict, as well as for the more recent tragic events since 28 September 2000, namely the Israeli occupation of Palestinian land and Israeli attempts to colonize this land through the illegal presence of Israeli settlers. This is in addition to Israeli oppressive measures and practices against the Palestinian people, many of which, like those mentioned in this letter, constitute grave breaches of the Fourth Geneva Convention and violate relevant Security Council and other United Nations resolutions.

Israel must be held accountable for its actions and the international community must act to ensure a halt to such actions.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, and of the Security Council.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 13 February 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Names of martyrs killed by Israeli security forces in the Occupied Palestinian Territory, including Jerusalem (Saturday, 3 February through Tuesday, 13 February 2001)

Saturday, 3 February 2001

1. Abdullah Abu Karsh

Sunday, 4 February 2001

1. Shadi Abdel Raheem Al-Kahlot

Friday, 9 February 2001

1. Ayman Abdel Razek Abu Holah (16 years old)

Monday, 12 February 2001

1. Atef Ahmed Al-Nabulsi
2. Zyad Abu Sway

Tuesday, 13 February 2001

1. Massoud Ayad
2. Bilal Tawfiq Awad Ramadan (14 years old)

United Nations A/55/781-S/2001/132

General Assembly
Security Council

Distr.: General
13 February 2001

Original: English

General Assembly
Fifty-fifth session
Agenda item 164
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 13 February 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest act of Palestinian terrorism directed against Israel.

Palestinian gunmen from the town of Beit Jala shot Tzahi Sasson, 35, a father of two from Kibbutz Rosh Tzurim, as he drove on the bridge that joins the two Gush Etzion road tunnels on Sunday night. After being shot, Mr. Sasson lost control of his vehicle and crashed into another car, slightly injuring three civilians. As emergency personnel arrived on the scene, Palestinians continued firing on the bridge, forcing the paramedics to put on helmets and flak jackets and treat Mr. Sasson while under fire. Eventually, the medical crew succeeded in transferring Mr. Sasson to the Hadassah University Hospital in Jerusalem, where he later died of his wounds.

The murder of Tzahi Sasson is merely the latest in a series of terrorist attacks, which are fast becoming a near-daily occurrence. These incidents have been detailed in a number of letters over the last several months. I should like to recall my letters dated 9 February 2001 (A/55/777-S/2001/125), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

Throughout this violent period and despite signed agreements mandating them to do so, the Palestinian Authority has repeatedly failed to take any steps to halt the violence against Israelis. Moreover, certain Palestinian elements have vowed to escalate the confrontation. Just yesterday morning, the Fatah Movement, Chairman Yasser Arafat's own political faction, issued a statement welcoming the murder of Tzahi Sasson. The statement continued with promises to make the lives of residents of Jerusalem's Gilo neighbourhood a "nightmare" as part of a new stage of the struggle and the escalation of the conflict.

01-24985 (E) 140201

Such pronouncements, emanating as they do from the circles closest to Chairman Arafat, have elicited no words of condemnation from the Palestinian leadership. Indeed, taken as part of the Palestinian Authority's overall behaviour over the course of the last several months, today's statement appears to conform with the tactics recently employed by the Palestinians. For months, the Palestinian leadership have incited their people to violence through their official media outlets, have refused to issue any statement calling for an end to attacks on innocent civilians and have failed to mobilize the Palestinian security forces to control terrorist organizations.

Consequently, terrorists have enjoyed tremendous freedom to plan and carry out attacks against Israelis as they travel on roads, walk in the streets and use public transportation. This represents a flagrant violation of Chairman Arafat's written commitment of 9 September 1993 to renounce the use of violence and terrorism and to control all elements under his authority that seek to employ such means. As such, it appears that there is a division of labour between the Palestinian political leadership on the one hand and the illegal militias and terrorist groups on the other. While the former engages in negotiations with Israel, the latter perpetrates terrorism and violence which tarnish the very spirit of those negotiations. Such duplicitous behaviour is intolerable and undermines the cause of peace. Israel again calls upon the Palestinian leadership to abide by its repeated legal undertakings in the agreements concluded with Israel.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the General Assembly under agenda item 164, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative